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T-227 P.004/018 F-899

SEP 08 2005

PTO/SB/31 (09-04)

Approved for use through 07/31/2006, OMB 0851-0031

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 3309
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on September 9, 2005.</p> <p><u>Pamela Leong</u> Signature</p> <p>Typed or printed name <u>Pamela Leong</u></p>	In re Application of Bartell et al.	
	Application Number 09/737,538	Filed December 13, 2000
For Systems and computer software products for comparing microarray spot intensities		
Art Unit 1631	Examiner Ardin H. Marschel	
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) <u>\$ 500.00</u></p> <p> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>5</u> </p> <p> <input type="checkbox"/> A check in the amount of the fee is enclosed. </p> <p> <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. </p> <p> <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. </p> <p> <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>D1-0431</u>. I have enclosed a duplicate copy of this sheet. </p> <p> <input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. </p>		
<p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p><u>abk Goel</u> Signature</p> <p>abk Goel Typed or printed name</p> <p>408-731-5000 Telephone number</p> <p><u>9/8/2005</u> Date</p>		
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>		
<p><input type="checkbox"/> *Total of _____ forms are submitted.</p>		

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.12 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Signature 

Typed or printed

name Pamela Leong

In re Application of

Bartell et al.

Application Number

09/737,536

Filed

December 13, 2000

For Systems and computer software products for comparing microarray spot intensities

Art Unit

1631

Examiner

Ardin H. Marschel

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

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A check in the amount of the fee is enclosed.

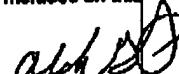
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The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 01-0431. I have enclosed a duplicate copy of this sheet.

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Signature

Alok Goel

Typed or printed name

408-731-5000

Telephone number

9/8/2005

Date

I am the

applicant/inventor.

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

attorney or agent of record.

Registration number .

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. 51,745

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below.

Total of _____ forms are submitted.

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